



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5275

by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

210 ILCS 9/125

Amends the Assisted Living and Shared Housing Act. Provides that the Assisted Living and Shared Housing Standards and Quality of Life Advisory Board shall give advice to the Director of Aging (instead of the Department of Public Health) concerning the activities of the assisted living ombudsman, and makes other changes concerning the Board's advice. Provides that the State Ombudsman, or his or her designee, shall serve as a nonvoting member of the Board. Provides that a quorum shall consist of a majority of those members appointed by the Director of Public Health, and eliminates a provision requiring the affirmative vote of 10 Board members for Board action. Provides that within 30 days after the effective date of this amendatory Act, the Director of Public Health shall call a meeting of the Board for the purpose of establishing a process and timetable for the review of the provisions of the Act and all administrative rules relevant to the implementation of the Act. Provides that upon completing this review, but no later than October 31, 2010, the Board shall meet with the Director and review their recommendations for changes to the Act and administrative rules. Effective immediately.

LRB095 18292 DRJ 44376 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Assisted Living and Shared Housing Act is
5 amended by changing Section 125 as follows:

6 (210 ILCS 9/125)

7 Sec. 125. Assisted Living and Shared Housing Standards and
8 Quality of Life Advisory Board.

9 (a) The Director shall appoint the Assisted Living and
10 Shared Housing Standards and Quality of Life Advisory Board
11 which shall be responsible for advising the Director in all
12 aspects of the administration of the Act. The Board shall give
13 advice to the Director of Aging Department concerning the
14 activities of the assisted living ombudsman ~~and all other~~
15 ~~matters deemed relevant by the Director and to the Director~~
16 ~~concerning the delivery of personal care services, the unique~~
17 ~~needs and concerns of seniors residing in housing projects,~~ and
18 all other issues affecting the quality of life of residents.

19 (b) The Board shall be comprised of the following persons:

20 (1) the Director who shall serve as chair, ex officio
21 and nonvoting;

22 (2) the Director of Aging who shall serve as
23 vice-chair, ex officio and nonvoting;

1 (3) one representative each of the Departments of
2 Public Health, Healthcare and Family Services, and Human
3 Services, the Office of the State Fire Marshal, and the
4 Illinois Housing Development Authority, and 2
5 representatives of the Department on Aging, all nonvoting
6 members;

7 (4) the State Ombudsman or his or her designee, who
8 shall serve as a nonvoting member;

9 (5) one representative of the Association of Area
10 Agencies on Aging;

11 (6) four members selected from the recommendations by
12 provider organizations whose membership consist of nursing
13 care or assisted living establishments;

14 (7) one member selected from the recommendations of
15 provider organizations whose membership consists of home
16 health agencies;

17 (8) two residents of assisted living or shared housing
18 establishments;

19 (9) three members selected from the recommendations of
20 consumer organizations which engage solely in advocacy or
21 legal representation on behalf of the senior population;

22 (10) one member who shall be a physician;

23 (11) one member who shall be a registered professional
24 nurse selected from the recommendations of professional
25 nursing associations;

26 (12) two citizen members with expertise in the area of

1 gerontology research or legal research regarding
2 implementation of assisted living statutes;

3 (13) two members representing providers of community
4 care services; and

5 (14) one member representing agencies providing case
6 coordination services.

7 (c) Members of the Board appointed under paragraphs (5)
8 through (14) of subsection (b) shall be appointed to serve for
9 terms of 3 years except as otherwise provided in this Section.
10 All members shall be appointed by January 1, 2001, except that
11 the 2 members representing the Department on Aging appointed
12 under paragraph (3) of subsection (b) and the members appointed
13 under paragraphs (13) and (14) of subsection (b) shall be
14 appointed by January 1, 2005. One third of the Board members'
15 initial terms shall expire in one year; one third in 2 years,
16 and one third in 3 years. Of the 3 members appointed under
17 paragraphs (13) and (14) of subsection (b), one shall serve for
18 an initial term of one year, one shall serve for an initial
19 term of 2 years, and one shall serve for an initial term of 3
20 years. A member's term does not expire until a successor is
21 appointed by the Director. Any member appointed to fill a
22 vacancy occurring prior to the expiration of the term for which
23 his or her predecessor was appointed shall be appointed for the
24 remainder of that term. The Board shall meet at the call of the
25 Director. A quorum shall consist of a majority of those members
26 appointed by the Director. ~~The affirmative vote of 10 members~~

1 ~~of the Board shall be necessary for Board action.~~ Members of
2 this Board shall receive no compensation for their services,
3 however, resident members shall be reimbursed for their actual
4 expenses.

5 (d) The Board shall be provided copies of all
6 administrative rules and changes to administrative rules for
7 review and comment prior to notice being given to the public.
8 If the Board, having been asked for its review, fails to advise
9 the Department within 90 days, the rules shall be considered
10 acted upon.

11 (e) Within 30 days after the effective date of this
12 amendatory Act of the 95th General Assembly, the Director shall
13 call a meeting of the Board for the purpose of establishing a
14 process and timetable for the review of the provisions of this
15 Act and all administrative rules relevant to the implementation
16 of this Act. Upon completing this review, but no later than
17 October 31, 2010, the Board shall meet with the Director and
18 review their recommendations for changes to this Act and
19 administrative rules, if any.

20 (Source: P.A. 95-331, eff. 8-21-07; 95-628, eff. 9-25-07.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.